

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND**

DEE FARMER, #340910,

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Petitioner

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v

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Civil Action Case No. CCB-11-1643

WARDEN.

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Respondent

\*

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**MEMORANDUM**

On June 15, 2011, Dee Farmer, then an inmate at Roxbury Correctional Institution (RCI), submitted correspondence challenging the calculation of her term of imprisonment and seeking release. On August 16, 2011, the Warden, by his counsel, filed a motion to dismiss the case as moot because Farmer was released from the custody of the Division of Correction on mandatory supervision on July 20, 2011.<sup>1</sup> For reasons to follow, respondent's motion to dismiss (ECF No. 3) will be granted.

Respondent's verified exhibits show that Farmer was released from the custody of the Maryland Division of Correction (DOC) on July 20, 2011. Exh. 1, ¶ 3; Exh. 2. Article III, Section 2 of the United States Constitution provides that federal courts may adjudicate only live cases or controversies. *See Lewis v. Continental Bank Corporation*, 494 U.S. 472, 477 (1990). Since Farmer has been released from custody, the relief she wants can no longer be provided, thereby rendering the case moot. *See Lujan v. Defenders of Wildlife*, 504 U.S. 555, 560-61(1992). (explaining that for a controversy to be moot, it must lack at least one of the three

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<sup>1</sup> Petitioner was provided an opportunity to reply but has not done so. Mail sent to Farmer at RCI, his last known address, was returned to the Clerk on August 29, 2011, bearing the notation "Not at this this address." Farmer has failed to comply with the requirement to maintain a current address on filed with the Clerk. *See* Local Rule 102.1.b.iii (D. Md. 2011).

required elements of Article III standing: injury-in-fact, causation, or redress). Accordingly, the Motion to Dismiss the Petition as moot will be granted by separate order. The court declines to issue a certificate of appealability because Farmer has not “made a substantial showing of the denial of a constitutional right.” *Id.* at §2253(c) (2).

September 7, 2011

Date

/s/

Catherine C. Blake  
United States District Judge